

Remarks/Arguments

Applicants hereby request further examination of the subject application in view of the amendments and remarks presented herein.

Drawings

New Figure 12 is submitted herein to better describe the fiber distribution panel element of currently amended claims 1 and 5 with written description in paragraph [0026].

Double Patenting

Claims 5-8 and 10-12 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting over US application 10/633,027, now US Patent 7,231,128 issued June 12, 2007. A PTO-SB26, “Terminal Disclaimer To Obviate A Double Patenting Rejection Over A “Prior” Patent”, is filed herein thereby removing the patent from consideration.

The rejection is overcome, and applicants respectfully request withdrawal thereof.

Claim Rejections – 35 USC § 103

Claims 1-3, 5-7, 9 and 11 are rejected under 35 USC 103(a) as being unpatentable over Muhs (J.D. Muhs, “Design and Analysis of Hybrid Solar Lighting and Full-Spectrum Solar Energy Systems”, Solar 2000, July 16-21, 2000, American Solar Energy Society) in view of Levinson (US Patent 5,271,079). Applicants respectfully traverse the rejection.

New Figure 12, submitted herein, clarifies the “fiber distribution panel” element taught in paragraph [0026] and claimed in currently amended Claims 1 and 5, such amendments resulting in cancellation of Claims 2 and 7. This CIP patent application teaches hybrid solar lighting distribution systems and components including the fiber distribution panel. This panel is not the collector concentric fiber mount assembly shown in Fig. 6b of Muhs and noted by the Examiner in the office action. Instead, this panel is part of the solar lighting distribution system that functions similar to an electric lighting distribution panel, serving as a central point to branch solar lighting service to multiple hybrid luminaire fixtures. The lighting distribution panel is neither taught nor suggested in the combination of Muhs and Levinson thereby making Claims 1 and 5 and their dependents non-obvious.

Secondly, regarding the Muhs/Levinson combination, applicants submit that the mixing rod taught in Levinson will not function in Muhs' solar lighting system due to the energy intensity and material design criteria imposed by concentrated solar collection and transmission in Muhs. Levinson's mixing rod is sufficient only for artificial light such as the LED elements he teaches and claims. Therefore, the combination of Muhs and Levinson is non-functional in the applicants' solar light distribution system invention because the mixing rod will not withstand the duty requirements for mixing concentrated solar radiation.

The rejection is overcome, and applicants respectfully request withdrawal thereof.

Claims 4 and 8 are rejected under 35 USC 103(a) as being unpatentable over Muhs (J.D. Muhs, "Design and Analysis of Hybrid Solar Lighting and Full-Spectrum Solar Energy Systems", Solar 2000, July 16-21, 2000, American Solar Energy Society), Levinson (US Patent 5,271,079) as applied to Claims 1 and 5, further in view of Nagao et al. (US Patent 3,626,040). Applicants respectfully traverse the rejection.

Adding the fiber bundle teachings of Nagao to Muhs/Levinson fails to teach the applicants' invention of currently amended Claims 1 and 5 comprising a light distribution panel.

The rejection is overcome, and applicants respectfully request withdrawal thereof.

Claims 10 and 12 are rejected under 35 USC 103(a) as being unpatentable over Muhs (J.D. Muhs, "Design and Analysis of Hybrid Solar Lighting and Full-Spectrum Solar Energy Systems", Solar 2000, July 16-21, 2000, American Solar Energy Society), Levinson (US Patent 5,271,079) as applied to Claim 5 and in further view of Kessler et al. (US Patent 6,416,181). Applicants respectfully traverse the rejection.

Adding the primary mirror teachings of Kessler to Muhs/Levinson fails to teach the applicants' invention of currently amended Claims 1 and 5 comprising a light distribution panel.

The rejection is overcome, and applicants respectfully request withdrawal thereof.

Applicants confirm that no new matter is introduced with these amendments. In view of the above amendments and remarks, it is submitted that the Examiner's rejections are overcome, and that the applicants' claims are in condition for allowance. Applicant therefore earnestly solicits allowance thereof, and the issue of U.S. letters patent therefore.

Respectfully submitted:

/Kirk A. Wilson/

Kirk A. Wilson, *Agent for Applicant*
Reg. No. 45,939
UT-Battelle, LLC
P.O. Box 2008
Oak Ridge, TN 37831-6258
(865)574-4179